

## Message Text

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PAGE 01     WARSAW 09069 211630Z  
ACTION ERDA-07

INFO OCT-01 EUR-12 ISO-00 OES-06 ERDE-00 SSO-00 ABF-01  
FSE-00 INT-05 OMB-01 TRSE-00 L-03 AGRE-00 /036 W  
----- 082272 /46

O 211555Z DEC 76  
FM AMEMBASSY WARSAW  
TO SECSTATE WASHDC IMMEDIATE 5667

UNCLAS WARSAW 9069

PASS TO GOUSE AND KOTB/ERDA/FOSSIL ENERGY

E.O. 11652: N/A  
TAGS: OSCI, PL, ENTRG  
SUBJECT: U.S.-POLISH COOPERATION IN COAL RESEARCH

REF: KSANDER/KOTB TELECONS OF DECEMBER 20, 1976

1. WE UNDERSTAND FROM KOTB THAT ERDA ACCEPTS OUR  
RECOMMENDATION TO DELIVER TO US, FOR FORWARDING TO THE  
MINISTRY OF MINING, ALL OF THE COOPERATIVE PROPOSALS  
WITH APPROPRIATE ERDA SIGNATURES BY THE EARLIEST  
POSSIBLE PAN AM FLIGHT TO WARSAW.

2. WE ALSO UNDERSTAND FROM KOTB THAT THE RETURNED,  
SIGNED PROPOSALS ARE NOT A SUFFICIENT BASIS FOR ERDA  
TO OBLIGATE ITS SFCP FUNDS. IN ADDITION TO THESE,  
ERDA REQUIRES THAT THE LETTER OF INTENT FORWARDED TO  
US BE SIGNED BY THE MINISTRY OF MINING AND RETURNED  
TO ERDA.

3. WE HAVE PRESENTED THE ABOVE SOLUTION TO THE POLISH  
SIDE AND HAVE THEIR CONCURRENCE, PROVIDED THE LANGUAGE  
OF THE LETTER OF INTENT IS REVISED AS FOLLOWS:

PAGE 2, PARAGRAPH 1-DELETE W  
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IT IS ANTICIPATED  
THAT" AND DELETE THE ENTIRE SECOND SENTENCE;  
THE PARAGRAPH TO READ: "THIS LETTER OF INTENT  
WILL BE SUPERCEDED BY A DEFINITIVE AGREEMENT ON  
OR BEFORE FEBRUARY 28, 1977."

PAGE 2, PARAGRAPH 2(C)-DELETE "THE DEFINITIVE AGREEMENT SHALL ALSO RECOGNIZE THE PRINCIPLES AND REQUIREMENTS OF UNITED STATES PUBLIC LAW 93-438 OF THE ENERGY REORGANIZATION ACT OF 1974) AND U.S. PUBLIC LAW 83-480 (THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954), AS AMENDED."  
THE POLISH OBJECTION TO THIS LANGUAGE IS THAT THERE IS NOT SUFFICIENT TIME TO PERUSE THE ABOVE LAWS AND AMENDMENTS. IF YOU PROPOSE TO KEEP THIS LANGUAGE, WE RECOMMEND THAT YOU DISCUSS THIS MATTER WITH POLISH EMBASSY ATTACHE ZAJAC AND MAKE COPIES OF THESE LAWS AVAILABLE TO HIM FOR TRANSMITTAL TO THE MINISTRY.

PAGE 3, PARAGRAPH 4-DELETE THE ENTIRE PARAGRAPH. THE POLISH OBJECTION TO THIS PARAGRAPH IS A LEGAL ONE; A REFERENCE IS MADE TO FEDERAL LAWS WHICH ARE NEITHER SPELLED OUT NOR KNOWN TO THE POLISH SIDE AND, THEREFORE, CANNOT BE ACCEPTED UNILATERALLY.

PAGE 3, PARAGRAPH 5-DELETE THE SENTENCE. THE POLISH OBJECTION TO THE DECEMBER 23, 1976, DEADLINE IS THAT IT IS UNILATERAL AND IMPOSSIBLE TO ACHIEVE IN PRACTICE; WE RECOMMEND DELETION OF THE DEADLINE AS DISCUSSED WITH KOTB; A REASONABLE EXTENSION MAY BE ACCEPTABLE TO THE POLES.

PAGE 2, APPENDIX "A", PARAGRAPH 1(2)-CHANGE  
"\$25,896,000 ZLOTYS" TO "25,896,000 ZLOTYS."  
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4. IF THESE CHANGES IN THE TEXT OF THE LETTER OF INTENT ARE ACCEPTABLE, PLEASE CABLE YOUR AUTHORIZATION TO WRITE THEM INTO THE LETTER. AS DISCUSSED WITH KOTB WE WILL CABLE ERDA WHEN THE PROPOSALS ARE RECEIVED AND THE LETTER OF INTENT SIGNED. PLEASE CONFIRM THAT SUCH CABLE IS A SUFFICIENT BASIS FOR ERDA TO OBLIGATE THE PROJECT FUNDS.  
BROWN

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NNN



## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** RESEARCH, AGREEMENT DRAFT, TEXT, INTERGOVERNMENTAL COOPERATION, MINING INDUSTRY, AMENDMENTS  
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**Copy:** SINGLE  
**Draft Date:** 21 DEC 1976  
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**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
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**Document Unique ID:** 00  
**Drafter:** n/a  
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**Errors:** N/A  
**Film Number:** D760468-0697  
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**Office:** ACTION ERDA  
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**To:** STATE  
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